

PHILLIPS ORMONDE AND FITZPATRICK

PATENT AND TRADE MARK ATTORNEYS

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ESTABLISHED 1888

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24th December, 1981.

AIRMAIL

The Patent Counsel,
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DUE DATE 2-1-82 (12-15-82 ACCEPT.)
 DOCKETED _____
 NOTED REC'D 1-5-82

Ref: (RNC:WD) PHILIP MORRIS INCORPORATED
 Australian Patent Appln. 47413/79
 Your Reference: PM 697

Dear Sirs,

We enclose a copy of a first official report on this application, dated 15th December, 1981. The normal period for acceptance of the application therefore does not expire until 15th December, 1982 but, as any further reports must be dealt with by that date if extension fees are to be avoided, we suggest that you provide us with your early instructions for responding to the present objections.

It is pleasing to note that the Examiner has not cited any prior art references. However, we query whether there has come to your attention any art likely to have been available in Australia before the priority date(s) of the claims and which warrants amendment of the claims at this time. If such art is to be notified to us, we should appreciate receiving your advice as to the features which distinguish the present invention.

In relation to item 1 of the report, the Examiner evidently intended to indicate that claim 1 should define the step quoted from page 5 lines 20 to 21. Your advice on such limitation would be appreciated.

In relation to item 2, we have the options of amending pages 6 and 7 to accord with claim 1, or of amending that claim to accord with that description; although it would appear that as a practical consideration comminuted solid carbon dioxide would be required.

We await your instructions as to the preferred manner for responding to the report.

Yours faithfully,
 PHILLIPS ORMONDE AND FITZPATRICK

(Robert N. Cross)

M12/2/81

Enc:

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